

Remark

Applicant respectfully requests reconsideration of this application as amended. Claims 1, 6, 11, 14, 17, 22 and 25 have been amended. No claims have been canceled. Therefore, claims 1-33 are now presented for examination.

35 U.S.C. §102 Rejection,

Backaus et al.

The Examiner has rejected claims 1-27 under 35 U.S.C. 102 (b) as being anticipated by Backaus et al., U.S. Patent No. 5,459,779 ("Backaus"). Backaus is designed to identify callers and to retrieve personalized account information for the caller. Using the 700 numbers and PINs mentioned in Backaus, it might be possible for different callers to call in using the same phone. It may also be possible for a caller to call in from different locations and have the account information retrieved. In any case, the account information is linked to specific individuals. Claim 1 has been amended to recite the call handle being generated by the switch independent of the caller's identity and any data received from the caller. It is a call handle, not a caller handle. This is contrary to Backaus in which the identity of the caller is fundamental to allowing the ISPs to retrieve account information. This departure from the teachings of the reference is believed to render Claim 1 allowable over the reference. Independent Claims 10, 14, 17, 22 and 25 contain similar recitations.

Claim 6 recites requesting data from the caller and storing received data in association with the call handle. This differs from Backaus in that a call handle,

associated only with a particular call and not necessarily any particular person is then used in storing data from a particular person. Claim 8 is similar.

New Claim 28 brings out this distinction still further. In new Claim 28, caller information associated with a call handle is deleted after a sufficient time. This is possible when the information is associated with a call and not a caller. In Backaus, deleting this information would be tantamount to canceling the AT&T Easy ReachTM account. Doing so would have no relationship to the time since a call was released in the manner set forth in new Claim 28.

Claims 9 and 10 refer to whether a call is forwarded or not. Both claims are rewritten so that the forwarded call status is a condition to other steps. This brings out another distinction from Backaus. In Backaus, because the account information is linked to some personal identification, it makes no difference where a call comes from, the only important issue is having a link into the account information database. In claims 9 and 10, because the call handle identifies only a call, the history of that call can be used to determine whether any information about the call exists. If the call is new, in contrast to Backaus, there will not be any information about the call or the caller.

The examiner cites Backaus at Column 2, line 62 to Column 3, line 33 as showing that calls can be forwarded and that personal account information can be retrieved. However, there is no teaching in Backuas that the forwarded status is a condition. Given the Examiner's interpretation of "forwarded call" it would seem that all calls are forwarded from the LEC switch and that the IXC switch always performs the same steps. It is unclear in Backaus column 4, whether calls can be forwarded from an ISP, and if so, what would happen.

The comments above apply to other dependent claims not specifically mentioned. The remaining claims depend from one of the independent claims mentioned above and are believed to be allowable therefor, among other reasons.

New Claims 32 and 33 are directed to an integrated system that contains the switch and the call handling system coupled together on an equipment rack via a digital backplane. There is no suggestion in Backaus that the IXC switch share a hardware platform with any of the other components.

Conclusion

Applicant respectfully submits that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.


Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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